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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF ARIZONA

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8 MICHAEL KIELSKY,  
9 PETITIONER

CV-00-01343-PHX-EHC (JI)

10 -VS-

11 MICHAEL MORALES, ET AL.,  
12 RESPONDENT

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ORDER TO RESPOND TO MOTION TO  
DISMISS

13 Defendants have filed a Motion to Dismiss the complaint for failure to state a claim  
14 upon which relief can be granted. Plaintiff is advised of the following specific provisions of  
15 Rule 1.10, Rules of Practice of the United States District Court for the District of Arizona:

16 Subparagraph (e) of that Rule provides:

17 Unless otherwise permitted by the Court, a motion including its supporting  
18 memorandum, and the response including its supporting memorandum, each  
19 shall not exceed seventeen (17) pages, exclusive of attachments and any  
required statement of facts. Unless otherwise permitted by the Court, a reply  
including its supporting memorandum shall not exceed eleven (11) pages,  
exclusive of attachments.

20 Plaintiff's attention is also specifically drawn to Subparagraph (i) of Rule 1.10, which  
21 provides:

22 If a motion does not conform in all substantial respects with the  
23 requirements of this Rule, or if the opposing party does not serve and  
24 file the required answering memoranda . . . such non-compliance may  
be deemed a consent to the . . . granting of the motion and the court  
may dispose of the motion summarily. (Emphasis added).

25 IT IS THEREFORE ORDERED that:

26 1. Plaintiff shall have until November 24, 2000 within which to respond to

## Defendants' Motion to Dismiss the complaint.

2. Defendants shall have fifteen days from service of the responsive memorandum within which to file a reply.

Dated this 3 day of October, 2000.

JAY R. IRWIN, United State Magistrate Judge